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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 JAMES LEE FERGUSON,

11 Defendant.

3:21-CR-005-HDM-CLB

Final Order of Forfeiture

12 The United States District Court for the District of Nevada entered a Preliminary
13 Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. §
14 924(d)(1) with 28 U.S.C. § 2461(c) based upon the plea of guilty by James Lee Ferguson to
15 Count Three of the Criminal Indictment, forfeiting the property set forth in the Plea
16 Agreement and the Forfeiture Allegation of the Criminal Indictment and shown by the
17 United States to have the requisite nexus to the offense to which James Lee Ferguson pled
18 guilty. Criminal Indictment, ECF No. 12; Plea Agreement, ECF No. 23; Change of Plea,
19 ECF No. 25; Preliminary Order of Forfeiture, ECF No. 27.

20 This Court finds that on the government's motion, the Court may at any time enter
21 an order of forfeiture or amend an existing order of forfeiture to include subsequently
22 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
23 32.2(b)(2)(C).

24 This Court finds the United States published the notice of forfeiture in accordance
25 with the law via the official government internet forfeiture site, www.forfeiture.gov,
26 consecutively from May 13, 2021, through June 11, 2021, notifying all potential third
27 parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits,
28 ECF No. 28-1, p. 5.

1 This Court finds no petition was filed herein by or on behalf of any person or entity
2 and the time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending regarding the property named herein and
4 the time has expired for presenting such petitions.

5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
6 all possessory rights, ownership rights, and all rights, titles, and interests in the property
7 hereinafter described are condemned, forfeited, and vested in the United States pursuant to
8 Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. §
9 924(d)(1) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(n)(7) and shall be disposed of
10 according to law:

- 11 1. a Colt, Officers Model Match .38 Special, .38 caliber revolver bearing
12 serial number 936812;
- 13 2. Smith and Wesson .357 Magnum, a .357 caliber revolver bearing Serial
14 Number AYY8683; and
- 15 3. any and all compatible ammunition
16 (all of which constitutes property).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
18 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
19 deposit, as well as any income derived as a result of the government's management of any
20 property forfeited herein, and the proceeds from the sale of any forfeited property shall be
21 disposed of according to law.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record.

24 DATED July 28, 2021.

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28 HOWARD D. MCKIBBEN
UNITED STATES DISTRICT JUDGE